

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 PERRY BRIAN OSHIRO,

4 Plaintiff

5 v.

6 M. BACHMAN,

7 Defendant

Case No.: 2:22-cv-02100-APG-BNW

**Order Denying Motion for Appeal
Transcripts**

[ECF No. 71]

8
9 Plaintiff Perry Oshiro moves for the government to pay for transcripts he wants to use on
10 his appeal. ECF No. 71. “[T]he court may grant a motion for transcripts at government expense
11 only if ‘the trial judge or circuit judge certifies that the appeal is not frivolous’ and the appeal
12 presents a ‘substantial question.’” *Dela Cruz v. Brennan*, No. 19-cv-01140-DMR, 2023 WL
13 4550942, at *1 (N.D. Cal. June 20, 2023) (quoting 28 U.S.C. § 735(f) and citing to *Henderson v.*
14 *United States*, 734 F.2d 483, 484 (9th Cir. 1984)). I have not and will not certify that Oshiro’s
15 appeal is not frivolous. I therefore deny the motion for appeal transcripts. However, Oshiro is
16 free to seek that relief from the court of appeals.

17 I THEREFORE ORDER that Perry Oshiro’s motion **(ECF No. 71) is denied.**

18 DATED this 21st day of November, 2024.

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20 Andrew P. Gordon
21 Chief United States District Judge
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